

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF VIRGINIA  
CRIMINAL MINUTES - TRIAL

Case No. 7:08CR54

At ROANOKE

Date 12/10/09

PRESENT: HON James C. Turk, JUDGE C. Patrick Hogeboom, III  
S. Sakalas Judy Webb John Richmond, Cindy Chung  
Deputy Clerk Court Reporter Asst. U.S. Attorney

U.S.A. v. (DEFENDANTS LISTED BELOW)

(1) William A. White

present  custody  bond  O/R  
(2)  present  custody  bond  O/R  
(3)  present  custody  bond  O/R  
(4)  present  custody  bond  O/R

ATTORNEYS FOR DEFENDANTS

(1) David Damico, Raphael Ferris

present  apptd.  retained  
(2)  present  apptd.  retained  
(3)  present  apptd.  retained  
(4)  present  apptd.  retained

Case called and continued to \_\_\_\_\_ for trial.

JURY TRIAL. The Jury impaneled and sworn (see attached list) \_\_\_\_\_ COURT TRIAL

Introduction of evidence for Government begun  concluded;

Motion for judgment of acquittal \_\_\_\_\_ granted \_\_\_\_\_ denied \_\_\_\_\_ under advisement

Introduction of evidence for defendant begun, \_\_\_\_\_ concluded;

Motion for judgment of acquittal renewed \_\_\_\_\_ granted \_\_\_\_\_ denied \_\_\_\_\_ under advisement

Rebuttal evidence; \_\_\_\_\_ Surrebuttal evidence; \_\_\_\_\_ Evidence concluded

Case continued to Dec. 11, 2009 at 9:00 \_\_\_\_\_ for further trial

Closing Arguments \_\_\_\_\_ Jury charged by court

Jury retires to deliberate at \_\_\_\_\_ jury returns at \_\_\_\_\_

JURY VERDICT. (See signed verdict as to each defendant.) \_\_\_\_\_ FINDING BY COURT.

(1) Defendant \_\_\_\_\_ (2) Defendant \_\_\_\_\_

(3) Defendant \_\_\_\_\_ (4) Defendant \_\_\_\_\_

Jury polled. \_\_\_\_\_ Polling waived. \_\_\_\_\_ Mistrial declared. \_\_\_\_\_ Jury discharged.

Motion after verdict.

JUDGMENT: \_\_\_\_\_ Defendant guilty \_\_\_\_\_ Defendant not guilty

Court received Presentence Report.

Copy of Presentence Report not requested.

A copy of same was furnished to counsel pursuant to Rule 32 F.R.C.P.

Defendant to remain on bond.

Defendant remanded to custody.

Court orders presentence report.

Case continued until \_\_\_\_\_ 20 \_\_\_\_\_ at \_\_\_\_\_ for sentencing.

SENTENCE IMPOSED

(9:05 - 9:14)

In Chambers Conference re: Juror requesting audience with the Court. Counsel for parties present. Juror relates that he is prejudiced and has determined he cannot be impartial. Court excuses the juror.

(Begin 9:17)

Juror roll called - all jurors present. USA's motion to separate the witnesses granted.  
USA (Chung) opening statement. Defendant (Ferris) opening statement.  
USA introduces evidence.

(Recess 10:50 - Reconvene 11:30)

USA continues introduction of evidence.

(Recess 12:40 - Reconvene 1:43)

(Out of the presence of the jury)  
USA to Court re: video conference for tomorrow.  
Defendant recites overruled sidebar objection to USA exhibit #22 for the record. USA responds for the record.  
(In the presence of the jury)  
USA continues introduction of evidence.

Court releases jurors to report tomorrow at 9:00.

(End 4:22)

Total time in court: 5 hours, 22 minutes

Clerk: S. Sakalas